

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 24-3137

Custom Communications, Inc., doing business as Custom Alarm

Petitioner

v.

Federal Trade Commission

Respondent

American Property Casualty Insurance Association; Consumer Credit Industry Association; Health & Fitness Association; International Franchise Association; National Association of Spa Franchises; Service Contract Industry Council

Amici on Behalf of Petitioner

Internet and Consumer Law Professors; Main Street Alliance; Truth in Advertising, Inc.; Consumer Law and Economic Justice; Consumer Federation of America; Consumer Action; National Consumers League; National Consumer Law Center; National Association of Consumer Advocates

Amici on Behalf of Respondent

No: 24-3388

The Chamber of Commerce of the United States of America; The Georgia Chamber of Commerce

Petitioners

v.

Federal Trade Commission

Respondent

American Property Casualty Insurance Association; Consumer Credit Industry Association;

Health & Fitness Association; International Franchise Association; National Association of Spa Franchises; Service Contract Industry Council

Amici on Behalf of Petitioner

Internet and Consumer Law Professors; Main Street Alliance; Truth in Advertising, Inc.; Consumer Law and Economic Justice; Consumer Federation of America; Consumer Action; National Consumers League; National Consumer Law Center; National Association of Consumer Advocates

Amici on Behalf of Respondent

No: 24-3415

Michigan Press Association; National Federation of Independent Business, Inc.

Petitioners

v.

Federal Trade Commission

Respondent

American Property Casualty Insurance Association; Consumer Credit Industry Association; Health & Fitness Association; International Franchise Association; National Association of Spa Franchises; Service Contract Industry Council

Amici on Behalf of Petitioner

Internet and Consumer Law Professors; Main Street Alliance; Truth in Advertising, Inc.; Consumer Law and Economic Justice; Consumer Federation of America; Consumer Action; National Consumers League; National Consumer Law Center; National Association of Consumer Advocates

Amici on Behalf of Respondent

No: 24-3442

Electronic Security Association; Interactive Advertising Bureau; NCTA-The Internet & Television Association

Petitioners

v.

Federal Trade Commission

Respondent

American Property Casualty Insurance Association; Consumer Credit Industry Association; Health & Fitness Association; International Franchise Association; National Association of Spa Franchises; Service Contract Industry Council

Amici on Behalf of Petitioner

Internet and Consumer Law Professors; Main Street Alliance; Truth in Advertising, Inc.; Consumer Law and Economic Justice; Consumer Federation of America; Consumer Action; National Consumers League; National Consumer Law Center; National Association of Consumer Advocates

Amici on Behalf of Respondent

No: 24-3469

Custom Communications, Inc., doing business as Custom Alarm; Electronic Security Association; Interactive Advertising Bureau; NCTA-The Internet & Television Association; Michigan Press Association; National Federation of Independent Business, Inc.; The Chamber of Commerce of the United States of America; The Georgia Chamber of Commerce

Petitioners

v.

Federal Trade Commission

Respondent

American Property Casualty Insurance Association; Consumer Credit Industry Association; Health & Fitness Association; International Franchise Association; National Association of Spa Franchises; Service Contract Industry Council

Amici on Behalf of Petitioner

Internet and Consumer Law Professors; Main Street Alliance; Truth in Advertising, Inc.; Consumer Law and Economic Justice; Consumer Federation of America; Consumer Action; National Consumers League; National Consumer Law Center; National Association of Consumer Advocates

Amici on Behalf of Respondent

Petition for Review of an Order of the Federal Trade Commission

(Negative Option Rule RIN 3084-AB60)

JUDGMENT

Before LOKEN, ERICKSON, and KOBES, Circuit Judges.

These appeals were submitted on petitions for review of an order of the Federal Trade Commission, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the petitions for review are granted and the Rule is vacated in accordance with the opinion of this court.

July 08, 2025

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Susan E. Bindler